

LAW OFFICES OF BOBBI C. STERNHEIM

212-243-1100 • Main
917-912-9698 • Cell
888-587-4737 • Fax

225 Broadway, Suite 715
New York, NY 10007
bcsternheim@mac.com

Honorable Katherine H. Parker
United States Magistrate Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

December 2, 2021

**USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 12/2/2021**

Re: *Ruiz v. Vance*
19-CV-3188 (AT)(KHP)

Dear Judge Parker:

I write to update the Court and counsel regarding the status of Petitioner Carlos Ruiz's efforts to exhaust state remedies. Last evening I learned that Mr. Ruiz has a *pro se* application pending before the First Department seeking leave to appeal the Supreme Court of the State of New York decision denying Mr. Ruiz's motion, pursuant to New York Criminal Procedure Law §440.

To satisfy § 2254(b)(1)(A)'s requirement that petitioner exhaust the remedies available in state court, Mr. Ruiz needs to appeal to the Appellate Division. We request that the stay remain in place pending a decision on any state appeal. I will provide further notification on or before March 1, 2022 or at such time as the Court directs.

Your consideration is greatly appreciated.

Very truly yours,
Bobbi C. Sternheim
BOBBI C. STERNHEIM

cc: AAG Michelle E. Maerov

The stay will remain in place until
March 1, 2022.

APPLICATION GRANTED

Katharine H. Parker
Hon. Katharine H. Parker, U.S.M.J.

12/2/2021